

Honorable: Dan A. Polster

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

FILED
2010 JUL 26 PM 12:57
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND, OHIO

In re JAMES GEMELAS, On Behalf
Of Himself and All Others Similarly
Situation
Plaintiff

§
§
§
§

Case No. 1:08-cv-00236

Vs

§
§
§
§
§
§

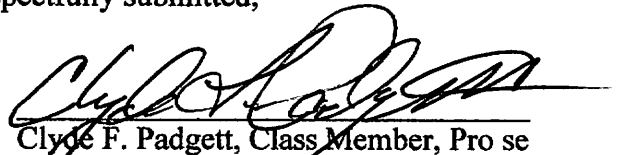
THE DANNON COMPANY, INC.,
Defendant

NOTICE OF APPEAL

**OBJECTOR AND CLASS MEMBER CLYDE FARREL PADGETT'S
NOTICE OF APPEAL**

Pursuant to FED. R. APP. P. 3(a)(1), notice is hereby given that Objector and Class Member Clyde Farrel Padgett ("Padgett") appeals to the United States Court of Appeals for the Sixth Circuit from this Court's Final Judgment and Order Approving Class Action Settlement entered June 24, 2010 (the "Order Approving Settlement") approving the proposed Class Action Settlement Agreement. The Final Judgment was made final and appealable when it was entered on June 24, 2010.

Respectfully submitted,



Clyde F. Padgett, Class Member, Pro se
910 McGregor Street
Lufkin, TX 75901
(936) 676-8296
(936) 639-2769

90982 (2009) 11 P

CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing document was served on all attorneys of record in the above entitled and numbered cause the 22nd day of July, 2010, via U.S. Mail:

Plaintiff's Counsel

Timothy G. Blood
Blood Hurst & O'Reardon LLP
600 "B" Street, Suite 1550
San Diego, CA 92101

Defendants Counsel

Angel Garganta, Beth H. Parker
Arnold & Porter LLP
275 Battery Street, Suite 2700
San Francisco, CA 94111


Clyde F. Padgett